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amnesty international

INTERNATIONAL SECRETARIAT
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URGENT ACTION

EXTERNAL (for general distribution)

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Fear of arbitrary detention/Fear of torture

INDONESIA/EAST TIMOR:
1. Mateus Brito XIMENES, 23 years
2. Clementino FARIA, 27 years
3. Oscar Gonçalves da SILVA, 20 years
4. Ventura Valentina de CONCEIÇAO, 23 years (female)
5. Florencio Anunciação FERNANDES, 22 years
6. Jose Manuel de OLIVEIRA SOUSA
7. Profirio da COSTA OLIVEIRA, 23 years

There are serious fears for the safety of seven East Timorese asylum-seekers who entered the embassies of Finland (Nos. 1-4 above) and Sweden (Nos. 5-7 above) in Jakarta on Wednesday 23 June 1993. Amnesty International believes that the seven are at serious risk of arbitrary arrest and torture for as long as they remain in Indonesia or East Timor. It calls upon the Governments of Finland and Sweden to take immediate steps, by all appropriate means, to facilitate the departure of the seven from Indonesia. It also demands that the Indonesian authorities permit the seven to leave the country.

Information gathered by Amnesty International provides clear and substantial evidence that the seven have, over a period of years, been persecuted by the Indonesian security forces because of their non-violent political opposition to Indonesian rule in East Timor. Some of the seven suffered beatings, torture and arbitrary arrest after participating in public demonstrations during and after visits to East Timor by Pope John Paul II in 1989 and by the Ambassador of the United States of America in 1990. The demonstrations aimed to alert the international community to the appalling record of human rights abuse by the Indonesian security forces in East Timor. Three of the seven were shot and wounded by the Indonesian military during the Santa Cruz massacre of 12 November 1991.

On Thursday 24 June 1993 the four East Timorese who had sought refuge in the Finnish embassy left the premises, apparently after Indonesian military officials provided assurances that their human rights would be respected and that they would not be in danger. The current circumstances of the three East Timorese in the Swedish embassy are unclear; unconfirmed reports indicate that they too may leave the embassy compound in the near future.

The evidence clearly shows that those who attract international attention to human rights abuse by Indonesian forces are those most vulnerable to beatings, torture and other violations. Amnesty International believes that, far from being protected, the risk of the seven asylum-seekers being subjected to further abuse may have increased following their unsuccessful appeal for asylum.

BACKGROUND INFORMATION

In Amnesty International's view there are a number of compelling reasons why Indonesian military assurances of respect for the human rights of the East Timorese cannot be accepted as genuine guarantees of their safety.

In the first place, asylum-seekers who have been returned to the authorities in previous years have suffered serious human rights violations. Seven East Timorese who sought asylum in June 1989 left the embassies of Japan and the Vatican after receiving virtually the same assurances that their human rights would be respected. In February 1991 a confidential military intelligence document revealed that five of those seven, **Fernando de Araujo, Marciano Garcia da Silva, Carlos da Silva Lopes, Agapito Cardoso** and **Lucas da Costa** were under permanent military surveillance because of their non-violent political and human rights activities. In May 1992 Fernando de Araujo was sentenced to nine years' imprisonment. The judge said the long sentence was warranted because of his attempts to "*gain the sympathy of the international community for the abuse of human rights in East Timor*". He is a prisoner of conscience.

☎ (44)(71) 413 5500 Telegrams: Amnesty London WC1 Telex: 28502 FAX: 956 1157

Amnesty International is an independent worldwide movement working for the international protection of human rights. It seeks the *release* of men and women detained anywhere because of their beliefs, colour, sex, ethnic origin, language or religious creed, provided they have not used or advocated violence. These are termed *prisoners of conscience.* It works for *fair and prompt trials* for *all political prisoners* and works on behalf of such people detained without charge or trial. It opposes the *death penalty* and *torture* or other cruel, inhuman or degrading treatment or punishment of *all prisoners.*

Second, it cannot be assumed that assurances by governmental authorities, even those at the highest level, will be respected by members of the security forces in East Timor or elsewhere in Indonesia. For example, the International Committee of the Red Cross (ICRC) in June 1993 suspended visits to political prisoners in East Timor for the third time this year, after the military in East Timor continued to place unacceptable restrictions on the visits, thus making it impossible to monitor the safety and well-being of political detainees in the territory. These restrictions had been imposed despite assurances by the President and the Minister of Foreign Affairs that unrestricted access to prisoners would be granted.

Third, the Indonesian Government has consistently denied reports of even the most well-documented and widely publicized human rights violations in East Timor, preferring instead to question the political motives of those, including Amnesty International, who have reported them. Few reports of human rights violations are investigated by the authorities and, virtually without exception, the perpetrators have gone unpunished.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters either in English or in your own language:

To the Governments of Finland and Sweden:
- expressing concern for the safety of the East Timorese asylum-seekers who have sought refuge in their embassies;
- noting that Amnesty International has documented the arbitrary arrest and torture of some of the asylum-seekers and that some were shot and wounded by Indonesian soldiers during the Santa Cruz massacre in Dili, November 1991;
- noting that Indonesian government assurances of respect for the human rights of East Timorese have consistently been breached by military authorities;
- urging the Government of **[Finland or Sweden]** to take immediate steps, through all appropriate means, to facilitate the departure of the seven asylum-seekers from Indonesia.

APPEALS TO:

1) Heikki Haavisto
Foreign Minister
Ministry of Foreign Affairs
Merikasarmi
00160 Helsinki
Finland
Telegrams: Foreign Minister, Helsinki, Finland
Faxes: +358 0 1341 5009

Salutation: Dear Minister Haavisto

2) Margaretha al Ugglas
Foreign Minister
Ministry of Foreign Affairs
Gustave Adolfstorg 1
S-10323 Stockholm
Sweden
Telegrams: Foreign Minister, Stockholm, Sweden
Faxes: +46 8723 1176

Salutation: Dear Minister al Ugglas

To the Government of Indonesia:
- expressing concern for the safety of the seven asylum-seekers;
- calling upon the Government of Indonesia to permit the seven East Timorese asylum-seekers to leave the country.

APPEALS TO:

1) President:
President Suharto
Presiden RI, Istana Negara
Jl. Veteran, Jakarta
Indonesia
Telegrams: President Suharto, Jakarta, Indonesia
Telexes: 44283 BIGRA IA; 44469 DEPLU IA
Faxes: (via Ministry of Foreign Affairs)

Salutation: Dear President Suharto

2) Minister of Foreign Affairs:
Ali Alatas S.H.
Menteri Luar Negeri
Jl. Taman Pejambon 6
Jakarta
Indonesia
Telegrams: Minister Alatas, Ministry Foreign Affairs, Jakarta, Indonesia
Telexes: 44205; 44469 deplu jkt
Faxes: +62 21 36 0517; +62 21 36 7782

Salutation: Dear Minister Alatas

and to diplomatic representatives of Sweden, Finland and Indonesia accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 6 August 1993.

— Please take action as soon as you receive this Urgent Action appeal. Carefully read the recommended actions. If possible, send a telegram, telex, fax or express letter immediately to one or more of the addresses given. Other letters can be sent afterwards.

— Telegrams and letters should be brief and courteous. Stress that your concern for human rights is not in any way politically partisan. Refer to relevant provisions in international law, such as the United Nations Universal Declaration of Human Rights:

Article 3 — "Everyone has the right to life, liberty and security of person."

Article 5 — "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

Article 9 — "No one shall be subjected to arbitrary arrest, detention or exile."

— The name of Amnesty International may be used, although letters written in a private or personal capacity may be more effective.

— Copies of appeals should be sent to relevant diplomatic representatives in your country.

— In Urgent Actions cases, Amnesty International has to act rapidly on behalf of victims of grave human rights violations. An appeal is issued when Amnesty International believes it has received reliable and accurate information in such cases. It is not always possible to verify all details independently and in some instances the situation outlined in the appeal may change. Urgent Action participants are always notified of any significant new facts.

— Copies of any replies received from government authorities should be sent immediately to your section's Urgent Action co-ordinator or direct to the Campaign and Membership Department of the International Secretariat. If appropriate, thank the official who has replied and ask to be kept informed about the case.